

## Message Text

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ACTION EB-07

INFO OCT-01 EUR-12 ISO-00 CAB-05 CIAE-00 COME-00 DODE-00

DOTE-00 INR-07 NSAE-00 FAA-00 L-03 PM-04 NSC-05 SP-02

SS-15 /061 W

----- 023140

R 241147Z DEC 75

FM AMEMBASSY PARIS

TO SECSTATE WASHDC 6367

INFO AMEMBASSY BONN

AMEMBASSY LONDON

UNCLAS PARIS 33604

E.O. 11652:N/A

TAGS: EAIR, FR, US

SUBJ: CIVAIR: PANAM CHARTER PROGRAM

REF: (A) PARIS 33182, (B) STATE 299553

1. PANAM WAS UNDER SOME PRESSURE TO LEARN PROMPTLY WHETHER PLANNED OTC PROGRAM TO FRANCE COULD BE OPERATED AS AFFINITY CHARTERS SINCE BOSTON TOUR OPERATOR REQUIRED DEFINITE ANSWER BY DEC. 23 DEADLINE. WE WERE ABLE INFORM PANAM PRIOR DEADLINE THAT SGAC FORESAW NO PROBLEM.

2. WE HAD CONTACTED ESPEROU ON DEC. 22 AND RAISED ISSUE WITH HIM ALONG LINES PARA 4 REF (A) SCENARIO. ESPEROU CALLED BACK DEC. 23 AND INFORMED US THAT AFTER REVIEWING THE QUESTION SGAC HAD DETERMINED THAT INASMUCH AS FRENCH-ORIGIN AFFINITIES WERE NOT AUTHORIZED IT SHOULD BE RULES OF COUNTRY OF ORIGIN THAT APPLY UNDER US-FRANCE MOU. HENCE, IF CAB REGULATIONS PERMITTED MORE THAN THREE AFFINITY GROUPS TO BE TRANSPORTED ON THE SAME AIRCRAFT THERE WOULD BE NO PROBLEM ON FRENCH SIDE. ONLY CONDITION GOF WOULD ATTACH WAS 30 DAY PRELISTING AS REQUIRED IN PRESENT MOU. ESPEROU SAID LIMITATION IN SGAC CIRCULAR NO. 2768 WAS APPLICABLE ONLY TO FRENCH-ORIGIN CHARTER TRAFFIC. ESPEROU WAS APPRECIATIVE OF FACT WE HAD INFORMED HIM THAT AFFINITY PROGRAM MIGHT

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REPLACE OTC PROGRAM FOR WHICH PANAM HAD FILED, PENDING RESOLUTION

OF OTC QUESTION IN FURTHER BILATERAL NEGOTIATIONS. KNOWING THIS, HOWEVER, HE SAID SGAC MIGHT BE A LITTLE MORE DILIGENT THAN USUAL IN COMPARING PASSENGER LISTS ON ARRIVAL WITH PRELISTINGS. WE TOLD HIM WE HAD ALERTED PANAM THAT IF OCT'S WERE TO BE CHANGED TO AFFINITIES FLIGHTS OBVIOUSLY HAD TO MEET AFFINITY CRITERIA AND CARRIER COULD THEREFORE EXPECT STRICT ENFORCEMENT OF RULES IN THIS RESPECT BOTH BY CAB ON DEPARTURE AND SGAC ON ARRIVAL. WE INFORMED ESPEROU THAT IN THE LIGHT OF HIS ASSURANCES WE WOULD CONFIRM OFFICIALLY TO PANAM THAT SGAC SAW NO OBJECTION TO OPERATION OF AFFINITY PROGRAM AS ENVISAGED AND WITH 747 EQUIPMENT.

3. PANAM PARIS REP WHEN INFORMED OF FOREGOING WAS STILL A BIT NERVOUS OVER ESPEROU INTERPRETATION SINCE SGAC CIRCULAR NO. 2768 CLEARLY STATES THAT LIMITATION OF THREE CHARTER GROUPS OF ANY ONE CATEGORY PER AIRCRAFT WAS APPLICABLE TO CHARTER FLIGHTS INTO AS WELL AS OUT OF FRANCE. WE REPLIED THAT INTERPRETATION OF ITS OWN REGULATIONS AND WHETHER AND HOW TO APPLY THEM WAS SGAC PROBLEM, AND INsofar AS EMBASSY WAS CONCERNED WE HAD RECEIVED UNQUALIFIED ASSURANCE FROM ESPEROU IN HIS CAPACITY AS DEPUTY DIRECTOR OF AIR TRANSPORT AT SGAC AND WE WOULD HOLD HIM TO THIS.

4. APPARENTLY PANAM HAS NO PLANS TO WITHDRAW OTC FILING NOW PENDING WITH SGAC, IN HOPE THAT PROBLEMS RE OTC OPERATIONS MIGHT BE RESOLVED BILATERALLY BETWEEN THE TWO GOVERNMENTS PRIOR TO OPERATION OF FIRST FLIGHTS END APRIL. ANYWAY, AFFINITY FILINGS NEED BE MADE ONLY THIRTY DAYS IN ADVANCE.  
GAMMON

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